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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,295	09/26/2003	Atsushi Yoshida	0828.68394	8323

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EXAMINER	
PHAM, MICHAEL	
ART UNIT	PAPER NUMBER
2167	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/672,295	YOSHIDA, ATSUSHI	
	Examiner	Art Unit	
	Michael D. Pham	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 November 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7-10 and 12* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,7-10 and 12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☒ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Detailed Action

Priority

1. Should applicant desire to obtain the benefit of foreign priority under 35 U.S.C. 119(a)-(d) prior to declaration of an interference, a certified English translation of the foreign application must be submitted in reply to this action. 37 CFR 41.154(b) and 41.202(e).

Failure to provide a certified translation may result in no benefit being accorded for the non-English application.

Specification

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 101

3. As to claims 11 and 12 rejected under 35 U.S.C. 101 in prior office action, it is respectfully withdrawn.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-5, 7-10, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication 20040098288 by Minakuchi (hereafter Minakuchi)in view of U.S. Patent 7062509 by Nenov et. al. (hereafter Nenov).

Claim 1:

Minakuchi discloses "A delivery-information management process for managing information which is to be delivered through a network, by using a computer, comprising the steps of:"

"(a) setting a rule for evaluation of information for an information group"[Minakuchi, 0028, selection set (information group) device may further include evaluation rule setting means for setting evaluation rule (setting a rule for evaluation of information).];

"(c) classifying an information item having a predetermined attribute into said information group" [Minakuchi, [0430] comparing the selection items, included in the selection set, in terms of the attribute so as to evaluate the selection set.];

"(d) calculating an evaluation value of the information group by applying said rule for evaluation of information to the information item" [Minakuchi, 0485, the detail evaluation result of the selection set that is calculated by the selection set evaluating means in accordance with the evaluation rule stored in the evaluation rule storing means]; and

"(e) storing the evaluation value in association with the information group" [Minakuchi, 0319, evaluation result storing means for storing the evaluation result].

However Minakuchi does not explicitly disclose **"(b) wherein when said information item is inputted, determining whether or not inconsistency occurs between said information item and at least one other information item which has been already inputted"** and "**(c) when said information item is determined as consistent**", and **"in a database"** (in a database is obvious, and further discloses 0013-0016 online sites must utilize a database in order to manage data).

On the other hand, Nenov, abstract, discloses that a processing facility coupled to a database receives raw data for an unidentified product. The processing facility compares the raw data for the unidentified product against the data for the plurality of known products. If there is a match between the raw data for the unidentified product and the data for one of the plurality of known products, the processing facility assigns the respective standardized product code of the matching known product to the unidentified product. Hence Nenov discloses wherein when said information item is inputted (i.e. raw data recieved), it is determined whether or not inconsistency occurs between said information item and at least one other information item which has been already inputted (i.e. if there is a match between raw data for unidentified product and the data for one of the plurality of known products), when said information item is determined consistent (i.e. when matched, assigns standardized product code.), and in a database (i.e. computer system includes a database).

Both systems are concerned with a purchasing process. Minkuchi discloses 0012 a purchaser selects respective products so as to determine which combination is to be purchased,

or a seller makes a product set constituted of plural products or plural selective items in advance, and the purchaser purchases the product as is or partially changes it. And Nenov, col. 2 lines 5-7, lack of consistency in product information makes it difficult to bring new efficiencies and control to the purchasing process. It would have been obvious to person of an ordinary skill in the art at the time the invention was made to apply Nenov's disclosure of maintaining products in a database that matches raw data with known data and then assigning a standardized product code. One of ordinary skill in the art would have been motivated to combine the matching of raw data with the known data products to Minakuchi's system in order to maintain consistency in data in order to provide more control to the purchasing process.

Claim 2:

Minakuchi and Nenov discloses **"the delivery-information management process according to claim 1",** Minakuchi further **discloses "wherein said rule for evaluation of information defines a formula for calculating said evaluation value based on an evaluation point given by an information user who refers to the information item"** [Minakuchi, [0443] for each evaluation rule stored in the evaluation rule storing means 3205 is set so that a value of the grade which is the evaluation result derived by the selection set evaluating means 3207 is relatively lower than a maximum value of the grade which is the evaluation result made by the evaluating user. Minakuchi, [0449], a minimum value of the range of the grade which is the evaluation result inputted by the evaluating user is Umin and a maximum value thereof is Umax, and a minimum value of the grade which is the evaluation result, derived by the selection set

evaluating means 3207, that is one of the evaluation results stored in the evaluation result storing means 3210, is Rmin and a maximum value thereof is Rmax. At this time, a certain selection set is such that: a value P', calculated as P'=(P-Rmin).times.(Umax-Umin)/(Rmax-Rmin) with respect to the grade P which is the evaluation result derived by the selection set evaluating means 3207, linearly ranges from Umin as the minimum value to Umax as the maximum value.].

Claim 3:

Minakuchi and Nenov discloses **"the delivery-information management process according to claim 1",** Minakuchi further **discloses "wherein said rule for evaluation of information defines a method for calculation of said evaluation value based on statistical information of the information item and an evaluation point given by an information user who refers to the information item"** [Minakuchi, [0452], total evaluation result may be derived as follows: distributions of a grade 3605 is calculated in accordance with a statistical technique, and after excluding a grade 3605 having an idiosyncratic value that should be rejected, the total evaluation result is derived in the foregoing manner. Minakuchi, [0449], a minimum value of the range of the grade which is the evaluation result inputted by the evaluating user is Umin and a maximum value thereof is Umax, and a minimum value of the grade which is the evaluation result, derived by the selection set evaluating means 3207, that is one of the evaluation results stored in the evaluation result storing means 3210, is Rmin and a maximum value thereof is Rmax.].

Claim 4:

Minakuchi and Nenov discloses **"the delivery-information management process according to claim 1",** Minakuchi further **discloses "wherein every time a new information item is classified into said information group, the evaluation value of said information group is updated based on an evaluation value of the new information item"** [Minakuchi, [0452] Further, the total evaluation result may be derived as follows: distributions of a grade is calculated in accordance with a statistical technique, and after excluding a grade having an idiosyncratic value that should be rejected, the total evaluation result is derived in the foregoing manner.].

Claim 5:

Minakuchi and Nenov discloses **"the delivery-information management process according to claim 1",** Minakuchi further **discloses "wherein an evaluation value of an information provider who provides the information item is calculated based on an evaluation value of the information item"** [Minakuchi, [0422] The selection set evaluating means 3207 judges whether or not the evaluation rule stored in the evaluation rule storing means 3205 corresponds to the selection set that is targeted. When the evaluation rule corresponds to the selection set, the selection set evaluating means 3207 evaluates the selection set in accordance with a calculation result calculated by using the grade 3504, for example, by adding the grades 3504 to each other.].

Claim 7:

Minakuchi and Nenov discloses **"the delivery-information management process according to claim 1",** Minakuchi further **discloses "wherein a template for information to be registered is**

sent to an information provider of said information item, and information having a form corresponding to the template is received as said information item" [Minakuchi, [0497], an evaluator name input area for inputting a name of the evaluating user, and 4102 is a grade input area for inputting a grade subjectively determined by the evaluating user as the evaluation result of the selection set displayed in the selection set display area 4003, and 4103 is a comment input area for inputting a comment such as a basis for the evaluation result made by the evaluator, and 4104 is a partial evaluation input area for inputting a partial evaluation result which is an evaluation for a part of the selection set, and 4105 is a registration button by which the evaluation results inputted to (a) the evaluator name input area 4101, (b) the grade input area 4102, and (c) the comment input area 4103 are registered so as to be stored in the evaluation result storing means 3210. That is, a template/form for information to be registered. Minakuchi, [0115] Further, in order to achieve the foregoing object, includes: selection set transmission/reception controlling means for (a) receiving the selection set, that has been made by a first terminal operated by the user making the selection set, from the first terminal, and (b) transmitting the selection set to a second terminal operated by an evaluating user; evaluation rule storing means for storing an evaluation rule to evaluate the selection set; selection set evaluating means for evaluating the selection set, that has been received from the first terminal, in accordance with the evaluation rule stored in the evaluation rule storing means, so as to output an evaluation result; selection set evaluation reception controlling means for controlling reception of an evaluation of the selection set from the second terminal; and total evaluation deriving means for deriving a total evaluation result in accordance with (a) the evaluation result made by

the selection set evaluating means and (b) the evaluation received by the selection set evaluation reception controlling means. That is, sending and receiving information.].

Claim 8:

Minakuchi and Nenov discloses **"the delivery-information management process according to claim 1",** Minakuchi further **discloses "wherein said information item is delivered to a terminal used by an information user, in accordance with a rule for delivery of information, where said rule for delivery is associated with the information user"** [Minakuchi, [0115] Further, in order to achieve the foregoing object, includes: selection set transmission/reception controlling means for (a) receiving the selection set, that has been made by a first terminal operated by the user making the selection set, from the first terminal, and (b) transmitting the selection set to a second terminal operated by an evaluating user; evaluation rule storing means for storing an evaluation rule to evaluate the selection set; selection set evaluating means for evaluating the selection set, that has been received from the first terminal, in accordance with the evaluation rule stored in the evaluation rule storing means, so as to output an evaluation result; selection set evaluation reception controlling means for controlling reception of an evaluation of the selection set from the second terminal; and total evaluation deriving means for deriving a total evaluation result in accordance with (a) the evaluation result made by the selection set evaluating means and (b) the evaluation received by the selection set evaluation reception controlling means.]..

Claim 9:

Minakuchi and Nenov discloses **"the delivery-information management process according to claim 1",** Minakuchi further **discloses "wherein said rule for evaluation of information is set differently for each of a plurality of evaluation periods"** [Minakuchi, [0266] The evaluation rule described above is stored in the evaluation rule storing means 207, but the evaluation rule setting means 208 adds or deletes the evaluation rule as rectification so as to reset the evaluation rule during a process in which the selection set evaluation device of the present invention is operated, so that it is possible to make the evaluation rule converge].

Claim 10:

Minkuchi discloses "An information management server for managing information which is to be delivered through a network, comprising:"

"an evaluation-rule setting unit which sets a rule for evaluation of information for an information group"[0028, evaluation rule setting means for setting evaluation rule, wherein the evaluation rule setting means updates the evaluation rule stored in the evaluation rule storing means. 0029, With the foregoing configuration, it is possible to update the evaluation rule by means of the evaluation rule setting means, so that it is possible to add or change the evaluation rule.];

"an information classifying unit which classifies an information item having a predetermined attribute into said information group when said information item having

the predetermined attribute is determined as consistent" [[0430] comparing the selection items, included in the selection set, in terms of the attribute so as to evaluate the selection set.];

"an evaluation-value calculation unit which calculates an evaluation value of the information group by applying said rule for evaluation of information to the information item"[0485, the detail evaluation result of the selection set that is calculated by the selection set evaluating means in accordance with the evaluation rule stored in the evaluation rule storing means]; and

"an information storing unit which stores the evaluation value in association with the information group" [0319, evaluation result storing means for storing the evaluation result].

However Minakuchi does not explicitly disclose **"an inconsistency determining unit that determines whether or not an inconsistency occurs between an information item and at least one other information item which has been already inputted when said information item is inputted;"** and **"when said information item having the predetermined attribute is determined as consistent"**, and **"in a database"** (in a database is obvious, and further discloses 0013-0016 online sites must utilize a database in order to manage data).

On the other hand, Nenov, abstract, discloses that a processing facility coupled to a database receives raw data for an unidentified product. The processing facility compares the raw data for the unidentified product against the data for the plurality of known products. If there is a

match between the raw data for the unidentified product and the data for one of the plurality of known products, the processing facility assigns the respective standardized product code of the matching known product to the unidentified product. Hence, Nenov discloses when said information item is inputted (i.e. raw data received), an inconsistency determining unit that determines whether or not an inconsistency occurs between an information item and at least one other information item which has been already inputted (i.e. if there is a match between raw data for unidentified product and the data for one of the plurality of known products), when said information item having the predetermined attribute is determined as consistent (i.e. when matched, assigns standardized product code.), and in a database (i.e. computer system includes a database).

Both systems are concerned with a purchasing process. Minkuchi discloses 0012 a purchaser selects respective products so as to determine which combination is to be purchased, or a seller makes a product set constituted of plural products or plural selective items in advance, and the purchaser purchases the product as is or partially changes it. And Nenov, col. 2 lines 5-7, lack of consistency in product information makes it difficult to bring new efficiencies and control to the purchasing process. It would have been obvious to person of an ordinary skill in the art at the time the invention was made to apply Nenov's disclosure of maintaining products in a database that matches raw data with known data and then assigning a standardized product code. One of ordinary skill in the art would have been motivated to combine the matching of raw data with the known data products to Minakuchi's system in order to maintain consistency in data in order to provide more control to the purchasing process.

Claim 12:

Minakuchi discloses "a computer-readable recording medium which stores a delivery-information management program for managing information which is to be delivered through a network, said delivery-information management program makes a computer perform a processing sequence which comprises the steps of:"

"(a) setting a rule for evaluation of information for an information group"[0028, evaluation rule setting means for setting evaluation rule, wherein the evaluation rule setting means updates the evaluation rule stored in the evaluation rule storing means. 0029, With the foregoing configuration, it is possible to update the evaluation rule by means of the evaluation rule setting means, so that it is possible to add or change the evaluation rule.];

"(c) classifying said information item having the predetermined attribute into said information group" [[0430] comparing the selection items, included in the selection set, in terms of the attribute so as to evaluate the selection set.];

"(d) calculating an evaluation value of the information group by applying said rule for evaluation of information to the information item"[0485, the detail evaluation result of the selection set that is calculated by the selection set evaluating means in accordance with the evaluation rule stored in the evaluation rule storing means]; and

"(e) storing the evaluation value in association with the information group" [0319, evaluation result storing means for storing the evaluation result].

However Minakuchi does not explicitly disclose **"(b) when an information item having a predetermined attribute is inputted, determining whether or not inconsistency occurs between said information item and at least one other information item which has been already inputted;"** and **"when said information item is determined as consistent"**, and **"in a database"** (in a database is obvious, and further discloses 0013-0016 online sites must utilize a database in order to manage data).

On the other hand, Nenov, abstract, discloses that a processing facility coupled to a database receives raw data for an unidentified product. The processing facility compares the raw data for the unidentified product against the data for the plurality of known products. If there is a match between the raw data for the unidentified product and the data for one of the plurality of known products, the processing facility assigns the respective standardized product code of the matching known product to the unidentified product. Hence Nenov discloses when said information item having a predetermined attribute is inputted (i.e. raw data received), it is determined whether or not inconsistency occurs between said information item and at least one other information item which has been already inputted (i.e. if there is a match between raw data for unidentified product and the data for one of the plurality of known products), when said information item is determined consistent (i.e. when matched, assigns standardized product code.), and in a database (i.e. computer system includes a database).

Both systems are concerned with a purchasing process. Minkuchi discloses 0012 a purchaser selects respective products so as to determine which combination is to be purchased, or a seller makes a product set constituted of plural products or plural selective items in advance, and the purchaser purchases the product as is or partially changes it. And Nenov, col. 2 lines 5-7, lack of consistency in product information makes it difficult to bring new efficiencies and control to the purchasing process. It would have been obvious to person of an ordinary skill in the art at the time the invention was made to apply Nenov's disclosure of maintaining products in a database that matches raw data with known data and then assigning a standardized product code. One of ordinary skill in the art would have been motivated to combine the matching of raw data with the known data products to Minakuchi's system in order to maintain consistency in data in order to provide more control to the purchasing process.

Response to Arguments

6. Applicant's arguments with respect to claims 1-5, 7-10, and 12 have been considered but are moot in view of the new ground(s) of rejection.

Applicant has amended claim 1, 10, and 12 to incorporate the subject matter of claim 6, further amending such that classifying when consistency is determined.

Conclusion

7. The prior art made of record listed on PTO-892 and not relied, if any, upon is considered pertinent to applicant's disclosure.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael D. Pham whose telephone number is (571)272-3924. The examiner can normally be reached on Monday - Friday 9am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Pham M.P.
Art Unit 2167
Examiner

Cam Y Truong
Art Unit 2162
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CT